



**CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201**

PLANNING & ZONING
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**MARCH 18, 2014
ZONING BOARD
MINUTES**

The meeting was called to order by Jim Benek, Vice-Chair.

Flag Salute
Notification of Meeting

ROLL CALL

PRESENT: Fritz, Baltera, Lawler, Corkhill, Roswell, Benek

ABSENT: Polisano, Malia

OLD BUSINESS:

Vote: Minutes of February 18, 2014 meeting

Motion to approve: Steve Baltera –second –Alex Corkhill

ROLL CALL: Baltera, yes; Lawler, yes; Corkhill, yes; Roswell, yes; Benek, yes

Vote: [D&R for Appl. #2-2014](#) for Joseph Potkay – Block 1.02 – Lot 13 – 1117 Plymouth Landing Road for a rear yard setback for installation of an in ground pool

Motion to approve: Steve Baltera –second –Alex Corkhill

ROLL CALL: Baltera, yes; Lawler, yes; Corkhill, yes; Roswell, yes; Benek, yes

[Appl. #1-2014](#) for Mike Martin – Block 93, Lot 14 – 200 E. Faunce Landing Road for a front yard setback variance for construction of an accessory building as well as a fence variance

Tabled from last meeting

Eddie Dennis, board engineer – handed out a diagram of the property that was marked as Board Exhibit1. Mr. Martin submitted two new proposals for the board's review. Since then he got to review the new fence ordinance that will impact the variances for the fence for this application. The applicant still requires two fence variances under either option, since the fence has been installed already on the property. The variances are similar and he addressed them in his updated report dated 3/11/14

on page 5, Item #3 A and B. The first variance deals with height and the second variance is related to a setback requirement.

He then addressed the two different options for the accessory building in his report on page 4. The new proposed building size was a 24 ft. x 34 ft. pole barn, which is actually larger than the pole barn proposed last month. He described the setbacks requested in the two scenarios. He explained the size of the structure allowed as it pertains to lot coverage for the R2 zone that the property sits in. No matter which option was chosen, this additional variance for the size of the structure would be required.

Matt Lawler – asked if there was any other coverage considered for access to the new building

Eddie – he didn't discuss anything like that with the applicant. The applicant should explain.

Mr. Martin – explained why and where he wanted the new buildings. He was not planning on installing a new driveway. There is a 15 ft. long grass and stone driveway access to the rear now. He intends to use the building for storage only and not any type of business. He would be fixing his own vehicles on the property and not run a business. He preferred to have option #1 proposed tonight.

Matt – asked Eddie how many variances they were looking at tonight.

Eddie – five variances – two fences; side yard or front yard; rear yard and square footage of accessory structure. Wanted Mr. Martin to address the fence situation and provide a justification.

Matt – asked if he went to the construction office to replace it and if so, what he said.

Mr. Martin – he told me where it had to be installed

Matt – so you knew it was in violation and put it up anyway.

Jeff – asked Eddie what the size allowed for the building would be without a variance and this one is 816 sq. ft.

Eddie – 305 sq. ft. and yes.

Jim opened the meeting to the public.

No public comment.

Motion to close public – Steve Baltera – second – Alex Corkhill

All were in favor.

John Rosenberger – crafted the motions separately. The conditions will be listed in the Decision and Resolution that will be approved. He suggested vote be taken on the size variance first to determine the other setback variances.

Motion to approve option #1 with the construction of a 24 ft. x 34 ft. pole barn with conditions made by Steve Baltera – second – Jeff Roswell

ROLL CALL: Fritz, no; Baltera, yes; Lawler, no; Corkhill, no; Roswell, no; Banek, no

Motion for size of accessory building was denied 5-1 against it with all stating their reasons

Motion for the two fence variances made by Alex Corkhill – second – Jeff Roswell

ROLL CALL: Fritz, yes; Baltera, yes; Lawler, no; Corkhill, yes; Roswell, yes; Banek, no

Variances were approved by a 4-2 vote in favor with all stating their reasons

John R. – explained to Mr. Martin that part of his application was approved and part denied. He could file another revised application based on the comments made to him tonight if he chooses. He might seek some professional advice to assist him.

NEW BUSINESS:

[Appl. #3-2014](#) for Luke Ireland – 952 Marlborough Avenue – Block 113, Lots 11 & 12 for two front yard setbacks for construction of addition of home and front porch

Luke Ireland, applicant and Michael Kolchins, applicant's architect were both sworn in. He plans on building a two-story addition on the North side of the house. It was built in 1926 and violates many of today's codes, including front and side yard setbacks. The majority of the addition will meet the 25 set back, however in order to gain access to the front of the addition, it requires a small bump out, which will be 6 ft. wide and 2.5 ft. deep. Violating the setback by 2.5 ft. There is a set of stairs when you walk in the house that would make it impossible to go left into the new addition. The other variance would be the front porch that currently sits at 12.8 ft. to the property line and it's approximately 9 ft. wide and 8 ft. deep. The new porch would be wider, but encroach less into the allowable front setback of the existing porch. The new steps would come out 1.3 ft. so the steps would be 13.55 ft. from the property and the porch would be almost 15 ft. from the property.

Mr. Kolchins – explained the addition using a plan that he had blown up to make it easier for them to see.

Eddie Dennis – went through his report. He had questioned the height of the new addition, but it will not exceed the maximum allowance of 35 ft. He feels the applicant put forward a justification that addresses the Municipal Land Use Law and there's a reference to a hardship created by the existing conditions on the site, the existing structure and the ability to access the proposed addition. The proposed improvements to the porch would actually bring the lot into closer conformance with the city code, because it will actually pull the porch back closer the principal structure.

Jim opened the meeting to the public.

No public comment.

Motion to close the public portion - Jeff Roswell - second - Alex Corkhill

All were in favor.

Motion to grant application #3-2014, the two bulk variances to permit a front yard setback of 22.8 ft. where 25 is required and as to the steps, to permit 13.55 ft. where 17 ft. is required was made by Matt Lawler – second – Alex Corkhill

ROLL CALL: Fritz, yes; Baltera, yes; Lawler, yes; Corkhill, yes; Roswell, yes; Banek, yes

CLOSED SESSION

John R. – asked for a motion to enter closed session for a discussion involving litigation with the City, Zoning Board and ABVisions.

Motion to enter closed session - Alex Corkhill - second - Bill Fritz

ROLL CALL: Fritz, yes; Baltera, yes; Lawler, yes; Corkhill, yes; Roswell, yes; Banek, yes

Motion to adjourn meeting – Matt Lawler – second – Jeff Roswell

All were in favor.

Respectfully submitted,


Tina Lawler, Secretary

Approved: _____ L-5-y